

REMARKS

In response to the Office Action mailed on May 12, 2009, Applicant respectfully requests reconsideration based on the following amendments and remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 2, 4-11, 15-19, 21-26 and 28-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schuster et al. (US 6,650,901) in view of Vasa, Suzy et al. (US 6,324,396). Applicant respectfully traverses the rejection as set forth below.

Independent claim 1 recites "wherein delivering the geographic location information to the called party comprises providing the geographic location information of the calling party in relation to a landmark". Claim 1 is amended to include subject matter of original claim 10. Additional support for the claim amendment is found in the last paragraph on page 8 of the specification.

In rejecting claim 10, the Office Action indicates that Schuster (col. 9, lines 7-26; col. 14, lines 25-34) teaches the features of claim 10. Schuster (col. 9, lines 7-26) states "Referring to the display 116 on the voice communication device 108a, a user of the first communication device 108a has dialed 9-1-1 using an example of a data network telephone system address ("SIP:911@isp.com" this format is discussed below). The 911 emergency center receives the telephone call at the second voice communication device 108b. In accordance with embodiments of the present invention, the location information of the first voice communication device 108a is received at the second communication device 108b without any action required on the part of the caller. The location information may be received as a voice signal in-band with the voice signals communicated on a voice over data communication channel used for conversation. The location information may also be communicated as data signals on a separate data communication channel permitting the information to be displayed on the display of the second voice communication device 108b, on a monitor (not shown), or as a text message

that may be forwarded to other data communications devices (e.g. as email, text message page, etc.).”

Also, Schuster (col. 14, lines 25-34) states “The user preferably uses the postal address of the location of the telephone as the data for the location information. However, the information used may be enhanced by using floor information, room information, etc. In addition, other forms of identifying a location may also be used, such as, longitude/latitude coordinates, directions, building function, names of residents or company, etc. The user may also enter the postal address and the service provider may send back the location for storage in any suitable alternative form. [emphasis added]”.

The passages of Schuster cited by the Office Action have been provided above in their entirety, and Schuster (combined with Vasa) does not teach or suggest “wherein delivering the geographic location information to the called party comprises providing the geographic location information of the calling party in relation to a landmark” as recited in claim 1. The combined teachings Schuster and Vasa provide no disclosure regarding a “landmark” as recited in claim 1. Thus, claim 1 is patentable over the combined teachings of the references.

For at least the foregoing reasons, claim 1 is patentable over the combined teachings of Schuster and Vasa. Claims 1, 2, 4-11, 15, and 16 variously depend from claim 1 and are patentable for reasons advanced for claim 1.

Renewing the arguments for patentability for claim 4 from the previous Response, Applicant respectfully submits that the combined teaching of Schuster and Vasa fail to teach or suggest “wherein if the call is from a mobile device, the geographic location information is recorded after the call originates from the calling party and before the call is received at the network element associated with the called party” as recited in claim 4. Particularly, the Office Action has not pointed out in the cited references the claimed features of claim 4. In rejecting dependent claim 4, the Office Action indicates that Schuster teaches “wherein if the call is from a mobile device, the method further comprises the step of recording the geographic location information after the call

originates and before the call is received at the network element associated with the calling party. (Col. 11; 3-7)". Schuster (col. 11, lines 3-7) states "The telephony connection server 150a provides telephony service for mobile users. A user may be registered to use the first network telephone 208a (which is identified by its telephone identifier), but move to a location near the second data network telephone 208b." Nowhere in the above passage cited by the Office Action does Schuster teach or suggest the features of claim 4. Further, Schuster (col. 10, lines 31-37) states "A user may register for telephony service with an administrator of the telephony connection server 150a and receive a user identifier and a telephone identifier. The user identifier and telephone identifier may be sequences of unique alphanumeric elements that callers use to direct voice connections to the user.[emphasis added]" Also, the user identifier and telephone identifier in Schuster do not teach or suggest the features of claim 4.

Schuster (combined with Vasa) fails to teach or suggest "wherein if the call is from a mobile device, the method further comprises the step of recording the geographic location information after the call originates from the calling party and before the call is received at the network element associated with the calling party". For example, the Office Action does not point out that any of the following is disclosed in the combined teachings of Schuster and Vasa: (1) *that "the call is from a mobile device"*; (2) *"the step of recording the geographic location information after the call originates from the calling party"*; and (3) *"before the call is received at the network element associated with the calling party"*.

Both Schuster and Vasa are silent with respect to the above features of claim 4, and the Office Action has not pointed out that the same is disclosed in the cited art. For at least the foregoing reasons, claim 4 is patentable over the combined teachings of Schuster and Vasa.

Independent claim 17 recites "wherein **delivering the geographic location information uses a medium of an audio message**". Claim 17 is amended to include the subject matter of claim 11. In rejecting claim 11, the Office Action indicates that the above features are disclosed in Schuster col. 9, lines 21-26. Schuster col. 9, lines 21-26

states “The location information may also be communicated as data signals on a separate data communication channel permitting the information to be displayed on the display of the second voice communication device 108b, on a monitor (not shown), or as a text message that may be forwarded to other data communications devices (e.g. as email, text message page, etc.). [emphasis added]” Nowhere in the cited passage of Schuster (combined with Vasa) are the above features of claim 17 disclosed, and the Office Action has not pointed to the same. For example, in Schuster, there is no disclosure of delivery of geographical information in an audio message to the second voice communication device 108b.

Therefore, the combined teachings of Schuster and Vasa fail to teach or suggest the above-identified features of claim 17. For at least the foregoing reasons, claim 17 is patentable over the combined references. Claims 18, 19, 21-26, and 28-32 variously depend from claim 17 and are patentable for the reasons advanced for claim 17.

Dependent claim 27 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Schuster and Vasa further in view of Rayburn (US 6937869). Applicant respectfully traverses the rejection as set forth below. Claim 27 depends from claim 17, and the combined teachings of Schuster and Vasa fail disclose the features of claim 17. Rayburn, applied for its teaching regarding a Wireless Application Protocol (WAP) location system, does not compensate for the deficiencies of Schuster and Vasa. Thus, claim 27 is patentable by virtue of its dependency from claim 17.

Conclusion

It is believed that the foregoing amendments and remarks are fully responsive to the Office Action and that the claims herein should be allowable to the Applicants. In the event the Examiner has any queries regarding the instantly submitted response, the undersigned respectfully request the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Response or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

CANTOR COLBURN LLP

By /Duane P. Minley/

Duane P. Minley
Registration No. 60,098
20 Church Street, 22nd Floor
Hartford, CT 06103-3207
Telephone: (404) 607-9991
Facsimile: (404) 607-9981
Customer No. 36192

Date: August 11, 2009